

# Notice of Allowability

Application No.

09/989,932

Examiner

FIRMIN BACKER

Applicant(s)

SY, BON K.

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3621

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to July 7<sup>th</sup>, 2006.
2. ☒ The allowed claim(s) is/are 1-4, 6-14, 16-23 and 25-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
FIRMIN BACKER  
PRIMARY EXAMINER

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 1, after "time back to the" insert "user's account located on the authentication server wherein the time-based software is configured to allow the user to check the total remaining time in his account via the time based software when it is reconnected to the network to communicate with the authentication server."

Claim 12, after "time back to the" insert "user's account located on the authentication server wherein the time-based software is configured to allow the user to check the total remaining time in his account via the time based software when it is reconnected to the network to communicate with the authentication server."

Claim 22, after "time is credited back to the" insert "user's account located on the authentication server by the user reconnecting to time based software to the authentication server and crediting the remaining amount of time, wherein the time-based software is configured to allow the user to check the total remaining time in his account via the time based software when it is reconnected to the network to communicate with the authentication server."

Cancel claims 5, 15 and 24.

*Allowable Subject Matter*

2. Claims 1-4, 6-14, 16-23, and 25-32 are allowed over Benson et al (U.S. Patent No. 6,334,118) in view of Hill (U.S. Published Application No. 2002/0162008A1).
3. The following is an examiner's statement of reasons for allowance:
  - a. Applicant teach a system directed to a time-based licensing scheme for software deployment, wherein a time-based software deployment model enables software to be distributed, for example, over the Internet, but "charges" its users only the time (s)he is using the software. Applicant system is novel and innovative in the sense that time is credited back to the user's account located on the authentication server by the user reconnecting to time based software to the authentication server and crediting the remaining amount of time, wherein the time-based software is configured to allow the user to check the total remaining time in his account via the time based software when it is reconnected to the network to communicate with the authentication server. Benson, the closet prior teach a software rental system that is provided having at least one rented program and private keying material such that the software rental system securely stores audit trails wherein the correctness of the audit trails is validated using asymmetric cryptography. Hill an other closet prior art teach a system in which account status is used for the access criterion, the telecommunications or Internet system determines whether the user's account contains sufficient time or credit to allow access. Based on the status of the user's account at the time of the request, access to the telecommunications or Internet

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system is allowed or denied. Benson taken alone or in combination with Hill fail to teach a system wherein time is credited back to the user's account located on the authentication server by the user reconnecting to time based software to the authentication server and crediting the remaining amount of time, wherein the time-based software is configured to allow the user to check the total remaining time in his account via the time based software when it is reconnected to the network to communicate with the authentication server.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form 892*).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMIN BACKER whose telephone number is 571-272-6703. The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

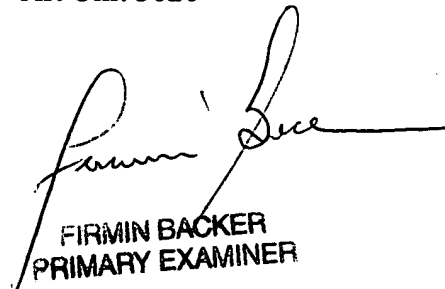
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September

FIRMIN BACKER  
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Art Unit 3621



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